



Senate

General Assembly

File No. 444

January Session, 2005

Substitute Senate Bill No. 867

Senate, April 20, 2005

The Committee on Judiciary reported through SEN. MCDONALD of the 27th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING SHELTER FOR ANIMALS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsection (a) of section 53-247 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2005*):

4 (a) Any person who overdrives, drives when overloaded,
5 overworks, tortures, deprives of necessary sustenance, mutilates or
6 cruelly beats or kills or unjustifiably injures any animal, or who,
7 having impounded or confined any animal, fails to give such animal
8 proper care or neglects to cage or restrain any such animal from doing
9 injury to itself or to another animal or fails to supply any such animal
10 with wholesome air, food and water, or unjustifiably administers any
11 poisonous or noxious drug or substance to any domestic animal or
12 unjustifiably exposes any such drug or substance, with intent that the
13 same shall be taken by an animal, or causes it to be done, or, having
14 charge or custody of any animal, inflicts cruelty upon it or fails to

15 provide it with proper food, drink or protection from the weather or
16 abandons it or carries it or causes it to be carried in a cruel manner, or
17 fights with or baits, harasses or worries any animal for the purpose of
18 making it perform for amusement, diversion or exhibition, shall be
19 fined not more than one thousand dollars or imprisoned not more than
20 one year or both. For the purposes of this subsection, proper protection
21 from the weather shall be determined by weather conditions and
22 characteristics of the animal, and shall require housing or other shelter
23 with specific features if necessary; "weather conditions" includes
24 climate, cold, heat, wind, precipitation, moisture and direct rays of the
25 sun; and "characteristics of the animal" includes the species, breed, age,
26 size, weight, overall physical condition and health of the animal. The
27 Commissioner of Agriculture, or the commissioner's designee, shall
28 determine what shelter may be required.

This act shall take effect as follows and shall amend the following sections:

Section 1	October 1, 2005	53-247(a)
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JUD *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Agriculture	GF - Cost	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill could increase the number of requests by municipal animal control officers for assistance in determining what shelter is required for an animal. To the extent this would require additional investigations by state animal control officers, a workload increase would be incurred. At the current time it is anticipated to be minimal.

OLR Bill Analysis

SB 867

AN ACT CONCERNING SHELTER FOR ANIMALS**SUMMARY:**

This bill defines two terms in the animal cruelty statute related to failure to protect animals from the weather. Under the bill, "weather conditions" includes climate, cold, heat, wind, precipitation, moisture, and direct sunlight. "Characteristics of the animal" includes its species, breed, age, size, weight, overall physical condition, and health. It specifies that the agriculture commissioner, or a designee, determines what housing or shelter, if any, is required based on weather conditions and characteristics of the animal.

By law, cruelty to animals carries a fine of up to \$1,000, imprisonment for up to one year, or both.

EFFECTIVE DATE: October 1, 2005

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 34 Nay 1